

REMARKS

Claims 1-49 are pending in the application.

The specification is amended. No new matter is entered.

Claims 1, 16 and 32 are objected to as being identical. Claims 16 and 32 are amended to clarify that they are not identical. It is respectfully requested the objection be withdrawn.

Under 35 U.S.C. § 103(a) claims 1-9, 12, 13, 16, 17, 20-26, 29, 32, 38-44, and 47 are rejected as obvious in view of Falcigli and claims 10, 11, 14, 15, 18, 19, 27, 28, 30, 31, 33-37, 45, 46, 48 and 49 further in view of Bennett.

Applicant's independent claim 1 discloses that the second image component is transparent whereby the first image component is visible through the second image component under the control of the game control means.

This feature is fully supported by applicant's specification. For example on page 5 in the last full paragraph it described that "the display images include a first image component which displays basic game features and a second image component which displays image features which appear superimposed on the first image component".

It goes on to mention in Figure 3 where there is disclosed, "a transparent second image component 50 which appears superimposed over elements 31 of the first image. The second image component 50 does not prevent the user from determining the type of symbol underneath it. In this particular case the second image component 50 appears as an animated ghost like character, and may be animated by its arms waving to the user or pointing at particular features on the screen, or it may be animated as it moves about the screen."

Furthermore, towards the lower portion of page 6 and with reference to Figure 4 it

mentions that “a second image component 50 is displayed in response to a mode of the console, in this case the console being reserved. As the second image component 50 is transparent it serves both the function of informing potential users that the console is unavailable to them, whilst still allowing potential users to see the features and symbols 31 of the game “through” the reserved sign and thereby attracting potential users for the future”.

It is to be noted that the second image component of the present claimed invention, that is the transparent image, is a completely separate image from the underlying game image or first image component and is superimposed over the top of the first game component. It is therefore not dependent upon the layout of the basic game image or first image component.

With reference to US Patent No 5,935,002 to Falciglia, there is no mention at all of a transparent second image that is superimposed or overlaying a first image. In this reference it mentions in column 4, line 62 that, “after inserting a coin or chip, the machine will then “cover” twelve blocks of the display matrix 3 before the first spin. For the rest of that paragraph it only refers to covering blocks within the display matrix 3. In column 5 at line 30 it mentions “if a selected numbered wheel position as displayed by the display windows 7a-7c, matches a number within the wheel’s corresponding column in the display matrix, that number in the display matrix column will then be covered”.

With reference to Figure 11 in another embodiment and with reference to the description at column 13, line 41 it mentions that “a selection has been made of a bingo number 252 matching a corresponding bingo number in a block in the corresponding second column of matrix 154. The disclosed computer system and method then automatically covers the matching number to appear as a covered display region 254”.

“That is, in response to user inputs through the input device 136 and the GUI 142

corresponding to the selection of a selected symbol 252 graphically displayed in the selectable display regions 156, the selection means 146 of the processor 132 causes the GUI 142 to generate and display a cover icon, such as the graphic shown in the covered display region 254”.

In column 13, at line 66 it goes on to say that “the disclosed computer system and method also processes a user selection of the unused joker icon 244 in Figure 10 to generate a covering icon in a selected block 256 of the corresponding column”.

Thus, it is clear from the description that there is only one image that is used whereby when a match is found between, for example, a number displayed at 252 and its corresponding column the number and corresponding column is deliberately covered by a cover icon. There is no suggestion that the covered numbered is able to be seen through the cover icon or superimposed over the top of the underlying image.

Furthermore with reference to the shaded images in Figures 2A and 2D of the cited reference these are actually a part of the game image as they relate to the pattern on the game card. They are not superimposed over the top of the image but actually form part of it.

With regard to the Bennett reference, as described in the comments of the prior response there is no suggestion in Bennett of a first image component being visible through a second image component. Thus the combination of Bennett and Falciglia does not in any way disclose the second image component as being transparent such that the first image component is visible through the second image component under the control of a game control means as identified in claim 1.

Because neither reference teaches or suggests features of applicant’s claim 1, it is therefore considered that one skilled in the art would not arrive at the claimed features given that both patents do not in anyway suggest all the features of applicant’s claimed invention.

In addition it is respectfully submitted that in fact each of them teach away from the transparent second image component in that as discussed Falciglia actually covers a portion of the screen and in Bennett while a symbol moves to different symbol locations on the screen as part of the basic game operation. The wild symbol in Bennett actually replaces the original symbol.

Furthermore, in considering whether the skilled person would consider the combination of these two documents as making claim 1 obvious, it is noted that Falciglia has for its purpose providing a computer based system and method for playing a bingo like game and in which a player may utilize one or more display matrices. It also has for its purpose allowing two or more players to compete against each other. It identifies disadvantages with prior art in that a game of bingo has been difficult to implement into a slot machine and previous game machines have not used random bingo cards typically found in the bingo game and rely on the players skill in attempting to stop spinning wheels at the correct time in order to win the game.

In relation to the Bennett patent it has for its purpose, in response to a trigger condition, providing a wild card symbol that roams around the display and awards a prize for winning combinations created while the wild card is positioned at each location on the display.

Conversely the present claimed invention has identified the problem that many gaming control authorities do not permit images to be superimposed over a game image if they obliterate a part of the game image that would be used to display the outcome of a game. In the past, game designers were therefore forced to squeeze auxiliary images into small spaces on the periphery of the screen or to make the game area of the screen proportionally smaller. These were not desirable options as they reduced the attractiveness of the game to a player. Thus by providing the transparent second image component which may be overlaid the first image

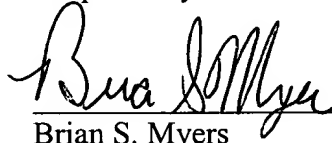
components such that it can be seen through the first image component overcomes these problems.

Thus the problem to be solved by the present invention is completely different to either of the problems to be solved by the Bennett and Falciglia patents. It is therefore considered that a skilled person would not arrive at the invention claimed in claim 1 and all of its dependent claims by reading either alone or in combination either the Bennett or Falciglia patents.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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